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UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF OREGON

In re

15005 NW Cornell LLC; and  
Vahan M. Dinihanian, Jr.,

Debtors.

Bankruptcy Case Nos.:

19-31883-dwh11 (Lead Case)

19-31886-dwh11

Jointly Administered Under  
Case No. 19-31883-dwh11

LOGAN PARTIES' OBJECTION TO  
DEBTOR'S APPLICATION TO  
EMPLOY SPECIAL PURPOSE  
COUNSEL (Arbaugh Law)

Creditors and Interested Parties Lillian Logan, Cornell Rd LLC, Christiana LLC, and Alexander LLC (collectively the "Logan Parties"), by and through their attorneys, Jordan Ramis PC, hereby offer this precautionary objection to the Debtor's Application for Authorization to Employ Special Purpose Counsel (the "Application to Employ") [Dkt. 655].<sup>1</sup> This objection is supported by the following points and authorities and the court file.

<sup>1</sup> This bankruptcy case is administratively consolidated with Vahan M. Dinihanian, Jr.'s bankruptcy case, 19-31886-dwh11.

The Logan Parties reserve the right to file a supplemental objection should the deadline to object be extended past noon on December 5, 2022.

### OBJECTION

The Logan Parties have concerns about the Application to Employ because, as demonstrated in Exhibit 1, pg. 1 to the Application to Employ, the proposed Special Counsel is requesting a retainer of \$10,000 and the Application to Employ does not indicate from whom it will be paid. Additionally, the scope of engagement appears to request that the special counsel only advise Vahan Dinihanian Jr. regarding his personal bankruptcy, yet the application to employ refers to administrative expenses of the Debtor 15005 NW Cornell Rd. LLC as well. Each of the debtors has separate creditors and may have separate interests.

Lillian Logan is a creditor of Vahan Dinihanian Jr. individually, and Christiana LLC, Alexander LLC and Cornell Rd LLC are in the process of seeking attorney's fees based on the proposed resolution of the adversary proceeding between 15005 NW Cornell Rd LLC and Tasha L. Terharani-Ami as trustee of the Sonja Dinihanian GST Trust DTS 1/1/11, Cornell Rd LLC, Christiana LLC, and, Alexander LLC (the "Adversary Proceeding").

The issue in the Adversary Proceeding was the interpretation of a Tenancy in Common Agreement (the "TIC") which provides for attorney's fees to prevailing parties in the event of a dispute. *See* Dkt. 250-1, PDF pg. 43. Because Debtor 15005 did not prevail on its 11 U.S.C §363(h) claim in the Adversary Proceeding, which would have required the court to allow the sale of the property notwithstanding the existence of the TIC, the defendants in that Adversary Proceeding are the prevailing parties and, likely, will be entitled to attorney's fees. Thus, the defendants in the Adversary Proceeding will be creditors of 1500 NW Cornell Rd LLC.

The Application to Employ does not reference 15005 NW Cornell Rd LLC's or Vahan Dinihanian's creditors and how the negotiations will take into account the best interest of those creditors and how employment of that special counsel will benefit the creditors of the two bankruptcy estates.

### CONCLUSION

For the foregoing reasons, and without waiving their rights to raise additional objections, the Logan Parties request that the court deny the Application to Employ.

DATED this 5<sup>th</sup> day of December, 2022.

JORDAN RAMIS PC

By: /s/Daniel L. Steinberg

Russell D. Garrett, OSB #882111

Daniel L. Steinberg, OSB #993690

Attorneys for Lillian Logan, Cornell Rd LLC,  
Christiana LLC, and Alexander LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on the date shown below, I electronically filed the foregoing **LOGAN PARTIES' OBJECTION TO DEBTOR'S APPLICATION TO EMPLOY SPECIAL PURPOSE COUNSEL** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 5<sup>th</sup> day of December, 2022.

JORDAN RAMIS PC

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